

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DELPHIX CORP.,  
Plaintiff,  
v.  
ACTIFIO, INC.,  
Defendant.

Case No. [13-cv-04613-BLF](#)

**ORDER MODIFYING ORDER RE  
PLAINTIFF'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL**

[ECF 75]

On August 20, 2014, the Court granted in part and denied in part plaintiff Delphix Corp.'s administrative motion to file under seal. (Order, ECF 75) Specifically, the Court denied Plaintiff's sealing request as to Exhibit G to its Motion for Leave to File Fourth Amended Complaint and proposed Fourth Amended Complaint because the party designating that document as confidential—defendant Actifio, Inc.—had not submitted a declaration in support of sealing. The Court also ordered Plaintiff to propose narrowly tailored redactions to its motion brief and proposed Fourth Amended Complaint. (*Id.* at 3)

On August 22, 2014, Defendant filed an administrative motion to seal Plaintiff's Exhibit G, explaining that Defendant had "inadvertently failed to timely respond" to Plaintiff's sealing motion. (Def.'s Admin. Mot. 1, ECF 78) Defendant's declaration in support of sealing indicates that Exhibit G contains "highly confidential business information of Actifio's CEO, Mr. Ashutosh, and third-parties" pertaining to the terms of Mr. Ashutosh's separation from those third party entities. Having considered Defendant's submission, the Court finds good cause to modify its prior order and GRANT Plaintiff's sealing request as to Exhibit G.

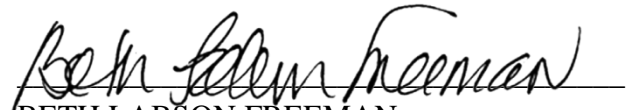
On August 27, 2014, in accordance with this Court's order, Plaintiff filed a response indicating that "no redactions are necessary to protect confidential information in its Motion for

1 Leave to File Fourth Amended Complaint or Fourth Amended Complaint.” (Pl.’s Response 2,  
2 ECF 81) As such, IT IS HEREBY ORDERED THAT:

- 3 1. Plaintiff’s administrative motion to file under seal is GRANTED with respect to  
4 Exhibits F, G, H, and I. Those exhibits shall remain under seal.
- 5 2. Plaintiff’s administrative motion to file under seal is DENIED with respect to the  
6 originally proposed redactions to Plaintiff’s Motion for Leave to File Fourth Amended  
7 Complaint and Proposed Fourth Amended Complaint. Unredacted versions of those  
8 documents shall be entered in the public record.

9 **IT IS SO ORDERED.**

10 Dated: September 2, 2014

11   
12 BETH LABSON FREEMAN  
13 United States District Judge  
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